



Notice of Service of Process

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Transmittal Number: 22496512
Date Processed: 12/29/2020

Primary Contact: Amanda Ratliff
Menard, Inc.
5101 Menard Dr
Eau Claire, WI 54703-9604

Electronic copy provided to: Andrew Akey
Kacie Bertrand
Ashley Aubart

Entity: Menard, Inc.
Entity ID Number 0033810

Entity Served: Menard, Inc

Title of Action: Kimberly Domantas vs. Menard, Inc.

Document(s) Type: Summons/Complaint

Nature of Action: Personal Injury

Court/Agency: Will County Circuit Court, IL

Case/Reference No: 2020L 001025

Jurisdiction Served: Illinois

Date Served on CSC: 12/29/2020

Answer or Appearance Due: 30 Days

Originally Served On: CSC

How Served: Personal Service

Sender Information: Thomas P. Polacek
815-727-0100

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STATE OF ILLINOIS)

) SS.

COUNTY OF WILL)

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS

KIMBERLY DOMANTES)

Plaintiff,)

vs.)

Case No. 2020 L 1025

MENARD, INC.)

Defendants.)

SUMMONS

To each defendant: Menard, Inc., c/o Prentice Hall Corporation, 801 Adlai Stevenson Drive, Springfield, IL 62703

You have been named a defendant in the complaint in this case, a copy of which is hereto attached. You are summoned and required to file your appearance, in the office of the clerk of this court, Will County Court Annex, 57 N. Ottawa Street, Joliet, Illinois 60432, within 30 days after service of this summons, not counting the day of service. If you fail to do so, a judgment by default may be entered against you for the relief asked in the complaint.

E-filing is now mandatory with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider.

If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/faq/gethelp.asp> or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask your circuit clerk for more information or visit www.illinoislegalaid.org.

If you are unable to pay your court fees, you can apply for a fee waiver. for information about defending yourself in a court case (including filing an appearance or fee waiver), or to apply for free legal help, go to www.illinoislegalaid.org. You can also ask your local circuit clerk's office for a fee waiver application.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, summons shall be returned to endorsed. This summons may not be served later than 30 days after its date.



THE FIRM OF
McNammara Phelan McSteen, LLC
ARDC# 06217317
Attorney for: Plaintiff
3601 McDonough Street
Joliet, IL 60431
815-727-0100

12/21/2020
WITNESS: Andrea Lynn Chasteen
ANDREA LYNN CHASTEEN, CLERK

BY: _____
(deputy)

STATE OF ILLINOIS }
 } ss.
COUNTY OF WILL }

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS

ADMINISTRATIVE ORDER NO. 2020-20

REMOTE APPEARANCES IN CIVIL MATTERS

WHEREAS, the Court has entered Administrative Orders to authorize modifications to Court proceedings and protocols in light of the COVID-19 health emergency;

WHEREAS, the Federal government, State government and the Centers for Disease Control have issued Orders and recommendations that individuals maintain social distancing in order to reduce the spread of COVID-19;

WHEREAS, the Civil Division of the Twelfth Judicial Circuit wishes to use remote appearances in order to reduce the number of individuals having to appear in person before the Court;

THEREFORE, IT IS HEREBY ORDERED THAT pursuant to Administrative Orders 2020-08 and 2020-16, the Civil Division sets forth the following procedures for remote appearances in civil cases:

1. Until further notice, cases currently scheduled before the Court after May 31, 2020, shall be conducted by remote appearance via Zoom. The Circuit Clerk is Ordered to notify all parties of record.
2. This Order shall be served with all issued summons, including those issued with the filing of a new lawsuit.
3. Attorneys and self-represented litigants shall appear at the remote proceeding by Zoom or telephone. If a party is unable to participate by Zoom or telephone, the party is required to appear at the courthouse and comply with all face-covering and social distancing requirements.
4. The attached Remote Court Instructions are adopted included with this Order.
5. All participants are responsible for accessing and joining the Zoom proceeding. The Court will not contact the parties to join the proceeding.
6. All attorneys and self-represented litigants must provide and update e-mail address(es) and phone number(s) through the Circuit Clerk's website at www.circuitclerkofwillcounty.com.
7. All courtroom rules and procedures shall also be observed in all remote proceedings, including use of proper decorum, proper dress, and appropriate language.
8. Recording of these proceedings is strictly prohibited. The official Court record will continue to be created electronically or by a certified court reporter.
9. Attorneys shall submit a proposed Order by the end of the business day through EFile IL.
10. Failure to appear, whether through the Zoom call or in person, may result in a default judgment.

This Order is effective immediately.

DATED THIS 19 DAY OF MAY, 2020.


Richard C. Schoenstedt, Chief Judge

Circuit Clerk (Original)
Judges
State's Attorney
Will County Bar Associations

Remote Court Instructions for Participants

Court in the Annex rooms A117, A129, A201, A227, A236, Rms 803, 1001 & 1002 in the main courthouse and Rm 2 in the River Valley Justice Center will be conducted via Zoom until further notice. Zoom is free and can be used with a laptop, smart phone with a camera, landline, or other telephone. Instructions are below.

Meeting ID

The Zoom meeting ID number for each judge is listed below and will always remain the same. You may login early and wait for the judge to log in to start the meeting (you may be in a waiting room until admitted).

J. Anderson (Rm A236) – 930 2919 0133
 J. Jarz (Rm 803) – 919 7619 1672
 J. O'Leary (Rm A227) - 556 881 0712
 J. Osterberger(Rm 1002)– 954 9877 7674
 J. Petrungaro (Rm A117) - 992 7448 0487
 J. Rickmon (Rm A201) – 959 2357 1680
 J. Rossi (Rm A129) - 912 2466 3711
 J. Allen(Rm 1001)- 719 811 8159
 J. Pavich (Rm 002) - 963 988 4732

Password

Once you login, you will be asked for a password to join the meeting.

The password for each judge is listed below and will always remain the same:

J. Anderson (Rm A236) – 236236
 J. Jarz (Rm 803) – 311311
 J. O'Leary (Rm A227) - 227227
 J. Osterberger(Rm 1002)– 111111
 J. Petrungaro (Rm A117) - 117117
 J. Rickmon (Rm A201) – 201201
 J. Rossi (Rm A129) - 129129
 J. Allen(Rm 1001)- 002002
 J. Pavich (Rm 002) - 002002

Procedure for attorneys or self-represented litigants using a computer with a camera & microphone:

1. Create a Zoom account by going to Zoom.us and click "sign up, it's free" and follow the prompts from there.
2. Make sure your email address and phone numbers are current with the Circuit Clerk's office.
3. Once Zoom opens, click "join a meeting" on the upper right.
4. Message box will appear asking for meeting ID number. Input the assigned judge's meeting ID.
5. Message box will appear. Click "open Zoom."
6. Message box may ask for the password. Input the assigned judge's password.
7. Screen should load, showing your face. Click "join with video."
8. Message box will appear, click "join with computer audio."

Procedure for using Zoom on cell phone:

1. Download the Zoom cloud meeting app on your cell phone.
2. Open the app and tap "Sign Up" (by following the prompts).
3. Tap "Join."
4. Input the meeting ID number or personal link name. Input assigned judge's meeting ID.
5. Message box may ask for the password. Input the assigned judge's password.
6. Tap "Join with video."
7. Tap "call using internet audio."
8. Tap anywhere on the screen to make the header bars appear.

Procedure for using Zoom on a landline or phone without Zoom app:

1. Dial one of the below US dial-in numbers:

	+1 312 626 6789
	+1 929 436 2866
United States of America	+1 301 715 8592
	+1 689 900 6833
	+1 253 215 8782
	+1 346 248 7799

2. When prompted, input the assigned judge's meeting ID as listed above, followed by the pound key (#).
3. When prompted, input the assigned judge's password as listed above, followed by the pound key (#).

The Judge may mute participants until their case is called.

Failure to appear whether through the Zoom call or in person, may result in a default being entered against you.

Andrea Lynn Chasteen
Will County Circuit Clerk
Twelfth Judicial Circuit Court
Electronically Filed
2020L 001025
Filed Date: 12/11/2020 11:54 AM
Envelope: 11518232
Clerk: RLH

STATE OF ILLINOIS)
)
COUNTY OF WILL) SS.

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS**

KIMBERLY DOMANTAS,)
)
Plaintiff,)
)
v.) No. 2020L 001025
)
MENARD, INC.,)
)
Defendant.)

COMPLAINT

COMES NOW the Plaintiff, KIMBERLY DOMANTAS, by and through her attorney, THOMAS P. POLACEK of the Law Firm of McNAMARA PHELAN McSTEEN, LLC., and for her Complaint at Law against the Defendant, MENARD, INC., hereby states as follows:

1. That on August 15, 2019, and for a long time prior and subsequent thereto, the Defendant, MENARD, INC., owned, operated, maintained and controlled the premises located at 2524 West Jefferson Street, in the City of Joliet, County of Will and State of Illinois, (hereinafter "Joliet store").
2. That in the course of said operation, the Defendant, MENARD, INC., invited the Plaintiff, KIMBERLY DOMANTAS, to enter said premises.
3. That on or about said date, the Plaintiff, KIMBERLY DOMANTAS, was on the premises of said Defendant, pursuant to said invitation.
4. That at all times material herein, the Plaintiff, KIMBERLY DOMANTAS, was in the exercise of ordinary care and caution for her own safety and free from contributory negligence.

5. That it then and there became and was the duty of the Defendant, MENARD, INC., by and through its duly authorized agents, servants, and/or employees, to exercise reasonable care in the care and maintenance of said premises, as well as the merchandise placed for display therein, for the safety of those persons, including the Plaintiff, who were lawfully on said premises.

6. That at said time and place, the Defendant, MENARD, INC., by and through its duly authorized agents, servants, and/or employees notwithstanding their duty aforesaid, was guilty of one or more of the following negligent and careless acts or omissions:

- (a) Carelessly and negligently maintained and inspected its premises, specifically failing to identify, locate and/or remedy an unsafe condition created by a patron leaving a long pole protruding from a shopping cart into the aisle used by customers to maneuver in and around the Joliet store, creating a condition that the Defendant knew or should have known was hazardous;
- (b) Carelessly and negligently failed to inspect the aisles and other customer areas inside its Menard's Joliet store and/or to maintain said areas in a safe condition;
- (c) Carelessly and negligently failed to warn patrons, including the Plaintiff, that the aisle within its premises was unsafe and hazardous;
- (d) Carelessly and negligently failed to remedy the unsafe and hazardous condition for an unreasonably long period of time;
- (e) Was otherwise careless and negligent in maintaining the public areas of its Menard's Joliet store.

7. That as a direct and proximate result of one or more of the foregoing acts or omissions, the Plaintiff, KIMBERLY DOMANTAS, was caused to then and there to trip on the long pole protruding from the shopping cart and to upon the ground below her as she walked through the aisle as she shopped within the Joliet store.

8. That as a direct and proximate result of the aforesaid, the Plaintiff, KIMBERLY DOMANTAS, suffered diverse injuries, both internally and externally, of a permanent and lasting nature, which have caused and will continue to cause pain in body and mind; that the

Plaintiff was caused to spend and in the future will be compelled to expend, large sums of money in endeavoring to be cured of said injuries; that the Plaintiff was caused to and did lose much time from her employment, thereby incurring losses of large sums of money; including wage loss and the Plaintiff has been and in the future will be prevented from attending to her usual affairs and duties.

WHEREFORE, the Plaintiff, KIMBERLY DOMANTES, prays judgment against the Defendant, MENARD INC., for a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

Respectfully submitted,



Attorney for Plaintiff

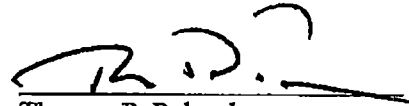
McNAMARA PHELAN McSTEEN, LLC
THOMAS P. POLACEK
tpolacek@jolietlaw.com
3601 McDonough Street
Joliet, IL 60431
(815) 727-0100
ARDC#: 06217317

STATE OF ILLINOIS)
)SS
COUNTY OF WILL)

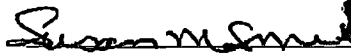
**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL DISTRICT
WILL COUNTY, ILLINOIS**

AFFIDAVIT

I, THOMAS P. POLACEK, having been duly sworn under oath, state that the total money damages exceed fifty thousand dollars and no one hundredths (\$50,000.00).


Thomas P. Polacek
One of Plaintiff's Attorneys

SUBSCRIBED and Sworn to before
me this 11th day of December, 2020.


Notary Public

**SUSAN M. SMITH
OFFICIAL SEAL
Notary Public - State of Illinois
My Commission Expires Dec 23, 2023**